



Appeal Decision

Site visit made on 21 May 2025

By G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 June 2025

Appeal Ref: APP/B1605/D/25/3361667

2 Kingscote Road East, Cheltenham, GL51 6JS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ashley Gibbons against the decision of Cheltenham Borough Council.
 - The application Ref is 24/01703/FUL.
 - The development proposed is described as proposed dormer roof extension to existing garage to convert into ancillary bedroom accommodation.
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Decision

1. The appeal is dismissed.

Main Issues

2. These are the effects of the proposals on: (a) the character and appearance of its surroundings and (b) the living conditions of the neighbouring residents at 17 Wards Road with reference to privacy.

Reasons

Character and appearance

3. The appeal property, a detached brick-built dwelling, stands at the junction of Kingscote Road East (KRE) and Wards Road. Its double garage is set to the rear of the dwelling and fronts KRE which is a typical suburban street comprised of a mixture of house types. The garage has an internal set of steps leading to a storage area in the roof space. The appellant intends inserting two large flat roofed dormer structures either side of the garage's roof ridge to create more headroom for the living space and bedroom proposed at first floor level. Some skylights are also proposed in the flat roofed dormer. A shower room and toilet would be provided downstairs.
4. The existing building was extended in 2006 or thereabouts by the addition of a pitched roof. It is prominent in the street because of its frontage position and enlarged size, and rather utilitarian appearance, typical of a large garage. The introduction of the two large dormer structures which would occupy most of the space on either side of the roof would transform the appearance of the building. The result would be a very unattractive and ugly box-like structure which, in my view, would appear incongruous and harm the suburban characteristics and appearance of the street.

5. In the grounds of appeal the appellant offered to reduce the size of the dormers. However, that is not a matter for my consideration since I am required to determine the appeal on the basis of the presented plans subject of the Council's determination.
6. I conclude that the proposed development by reason of its poor design and incongruous appearance in a prominent location in the street would harm the character and appearance of its surroundings. Accordingly, a material conflict arises with those provisions of policy D1 of the Cheltenham Plan (CP) and policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) directed to ensuring that new development should complement and respect the character of the locality and the site's surroundings.

Living conditions

7. I was not asked by the Council to visit a neighbouring property, so my assessment of this aspect is based on what I could see from the street outside.
8. The appellant says that there is already a level of mutual overlooking at the rear of Wards Road from the neighbouring upper windows and that a conservatory built at the rear of 17 Wards Road has an effect on their amenities. I could not see the conservatory in the light of the presence of intervening structures when viewed from the street.
9. However, one of the windows proposed in the rear dormer would be sited close to the appeal property's shared boundary with No 17 and on the basis of the application of basic geometry, No 17's rear garden and some of its rear windows would be clearly overlooked from this window at relatively close quarters. Although I note that No 17's residents have not objected to the proposal, planning is concerned with ensuring that residential amenities are maintained and not harmed. I could not conclude with any degree of certainty that would be the case here, since the extent of any overlooking already experienced would be intensified.
10. I therefore conclude that the proposed extension would harm the living conditions of the residents at No 17 by reason of an increased loss of privacy. Accordingly, a conflict arises with the provisions and objectives of policy SL1 of the Cheltenham Plan (CP) and policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) directed to ensuring that new development should not unacceptably harm the amenity of neighbouring occupants or adjoining land users.

Overall conclusions

11. I have found against the appellant on both main issues. Accordingly, the appeal is dismissed.

G Powys Jones

INSPECTOR